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Total # of Pages: 21 (including this page)

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Examiner V. Bertoglio - Art Unit 1632 U.S. Patent and Trademark Office	(571) 272-0725	(703) 872-9306

From : Stephen E. Reiter <i>SR</i>
Email Address : sreiter@foley.com
Sender's Direct Dial : 858.847.6711
Date : July 26, 2004
Client/Matter No : 088802-3457
User ID No : 1877

MESSAGE:

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U.S. Patent Application No. 10/086,542

Following are:

Amendment Transmittal (3 pgs.-in dupl.. = 6 pgs.);
Petition for Extension of Time (2 pgs.);
Response (12 pgs.).

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JUL 26 2004

Atty. Dkt. No. SALK1790-6
(088802-3457)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wahl and O'Gorman

Title: FLP-MEDIATED GENE
MODIFICATION IN
MAMMALIAN CELLS, AND
COMPOSITIONS AND CELLS
USEFUL THEREFOR

Appl. No.: 10/086,542

Filing Date: 2/28/2002

Examiner: V. Bertoglio

Art Unit: 1632

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Stephen E. Reiter</u> (Printed Name) <u>Step E. L.</u> (Signature) <u>July 26, 2004</u> (Date of Deposit)
--

AMENDMENT TRANSMITTALMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Applicants claim Small Entity status under 37 C.F.R. § 1.27.☒ A Petition for Extension of Time is enclosed.☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	19	-	20	=	0	x	\$18.00	=	\$0.00
Independent Claims:	1	-	3	=	0	x	\$86.00	=	\$0.00

-1-

Atty. Dkt. No. SALK1790-6
(088802-3457)

First presentation of any Multiple Dependent Claims: + \$290.00 = \$0.000 CLAIMS FEE TOTAL = \$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	0	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the second month:	\$420.00	1	\$420.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	0	\$0.00
EXTENSION FEE TOTAL:			\$420.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	0	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$420.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):			\$210.00
TOTAL FEE:			\$210.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$210.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$_____ is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

Attr. Dkt. No. SALK1790-6
(088802-3457)

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to
Deposit Account No. 50-0872.

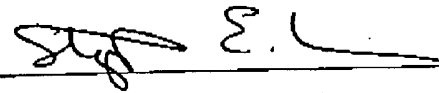
Please direct all correspondence to the undersigned attorney or agent at the address
indicated below.

Respectfully submitted,

Date: July 26, 2004

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By



Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

DUPLICATEAtty. Dkt. No. SALK1790-6
(088802-3457)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wahl and O'Gorman

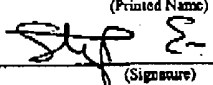
Title: FLP-MEDIATED GENE
MODIFICATION IN
MAMMALIAN CELLS, AND
COMPOSITIONS AND CELLS
USEFUL THEREFOR

Appl. No.: 10/086,542

Filing Date: 2/28/2002

Examiner: V. Bertoglio

Art Unit: 1632

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Stephen E. Reiter	
(Printed Name)	
	
(Signature)	
July 26, 2004	
(Date of Deposit)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Applicants claim Small Entity status under 37 C.F.R. § 1.27.☒ A Petition for Extension of Time is enclosed.☒ The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	19	20	0	x \$18.00	\$0.00
Independent Claims:	1	3	0	x \$86.00	\$0.00

Atty. Dkt. No. SALK1790-6
(088802-3457)

First presentation of any Multiple Dependent Claims:	+	\$290.00	=	\$0.00
0				
CLAIMS FEE TOTAL				= \$0.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$110.00	0	\$0.00
[X] Extension for response filed within the second month:	\$420.00	1	\$420.00
[] Extension for response filed within the third month:	\$950.00	0	\$0.00
[] Extension for response filed within the fourth month:	\$1,480.00	0	\$0.00
[] Extension for response filed within the fifth month:	\$2,010.00	0	\$0.00
EXTENSION FEE TOTAL:			\$420.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	0	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$420.00
[X] Small Entity Fees Apply (subtract ½ of above):	\$210.00		
TOTAL FEE:			\$210.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$210.00. A duplicate copy of this transmittal is enclosed.

[] A check in the amount of \$_____ is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

Atty. Dkt. No. SALK1790-6
(088802-3457)

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to
Deposit Account No. 50-0872.

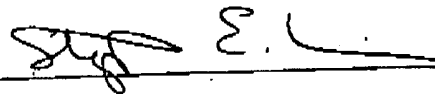
Please direct all correspondence to the undersigned attorney or agent at the address
indicated below.

Respectfully submitted,

Date: July 26, 2004

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By



Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

PATENT
Attorney Docket No.: SALK1790-6
(088802-3457)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wahl and O'Gorman

Group Art Unit: 1632

Application No.: 10/086,542

Examiner: V. Bertoglio

Confirmation No.: 2411

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Filing Date: February 28, 2002

Stephen E. Reiter

For: FLP-MEDIATED GENE MODIFICATION
IN MAMMALIAN CELLS, AND
COMPOSITIONS AND CELLS USEFUL
THEREFOR

Name of person mailing paper

Step E. July 26, 2004
Signature Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

Responsive to the Office Action mailed February 24, 2004, please consider the following amendments and remarks. This response is timely as it is accompanied by a petition and the appropriate fee to extend the time for response to July 24, 2004 (next USPTO business day July 26, 2004; two-month extension).

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 5 of this paper.